

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks. This amendment is being filed concurrently with a Request for Continued Examination (RCE) and supercedes the Amendment after Final Rejection filed June 21, 2004, which was not entered as indicated in the Advisory Action mailed August 20, 2004.

Claims 1-10 were pending in this application. Claims 1-2, 7 and 9 have been amended to clarify the invention. Specifically, the claims now recites a "time communications duplexed link." Support for this amendment can be found in, for example, page 8, lines 6-9 of the present application. No new matter has been added. Claims 11-37 have been added. Accordingly, claims 1-37 will be pending herein upon entry of this Amendment. For the reasons stated below, Applicants respectfully submit that all claims pending in this application are in condition for allowance.

In the Office Action, claim 7 was rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claims 1-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,574,979 (West). Claims 1-10 were also rejected under 35 U.S.C. § 102(b) as being anticipated by West. To the extent any of these rejections might still be applied to claims presently pending in this application, it is respectfully traversed.

Regarding the § 112, second paragraph rejection, Applicants have deleted a portion of the preamble of claim 7 that has allegedly caused the claim to be indefinite. Applicants believe the deletion has overcome the rejection.

Regarding the §§ 102(b) and 103(a) rejections of claims 1-10, Applicants present arguments below to explain why the claimed invention is neither anticipated nor rendered obvious by West.

Applicants believe the § 102(b) rejection should be withdrawn because the Final Office Action admitted, in pages 3-5, that “West does not disclose transmitting a redundant copy of the data packet on the second time slot.” Since this element is recited in independent claims 1, 2 and 7, and is admittedly not present in West, Applicants believe a § 102(b) rejection is improper and should be withdrawn.

Applicants also believe that since West does not teach at least one element recited in each of the independent claims, the § 103(a) rejection of independent claims 1, 2 and 7 should be similarly withdrawn. In addition, Applicants further submit that it would not have been obvious for one of ordinary skill in the art to modify West to arrive at the claimed invention.

West relates to a system that uses a predictive sync signal that allows radio frequency communication to be optimally timed to efficiently make use of the interference-free time within the periodic interference signal (see Abstract). For example, West first detects periodic interference that is generated from a microwave oven, and then transmits in time slots in which the interference is absent (col. 61, lines 30-34). As recited in each of independent claims 1-2 and 7, the present invention relates to transmitting the same information (e.g., data packet) twice in a time communications duplexed link. West does not disclose or suggest transmission of the same information twice in a time communications duplexed link.

The Final Office Action asserted that the disclosure in column 22, lines 30-33 of West would motivate one of ordinary skill in the art to modify West to arrive at the present invention. Applicants respectfully disagree and submit that such modification would not have been obvious at the time the present invention was made because the context of the West disclosure discourages use of redundant transmission in two way services such as voice communications, a form of time communications duplexed link. To support this argument, Applicants respectfully call the Examiner's attention to West column 22, lines 27-33, which is reproduced below for convenience:

“Two way services such as voice communications are the most sensitive to transport delay because delay impacts the interaction of the communicating parties. One way services are good candidates for interleaving or other forms of redundant transmission.”

Thus, in context, while West suggests that redundant transmission may be performed for one way services, West does not make similar suggestion with respect to two way services such as voice communications. Indeed, a plausible suggestion from West is that two way services would be poor candidates for redundant transmission. As such, West would discourage, not motivate, one of ordinary skill in the art to modify West to arrive at the claimed invention, which recites transmission of redundant information in a time communications duplexed link.

For at least the foregoing reasons, Applicants believe the § 103(a) rejection of claims 1, 2 and 7 should be withdrawn. Since each of dependent claims 3-6 and 8-10 depends from an allowable independent claim, they are also believed to be in condition for allowance.

New claims 1-37 are presented to claim additional aspects of the invention. Support for claim 11 can be found, e.g., in page 11, final paragraph and page 12, first full paragraph.

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Support for claim 18 can be found, e.g., in page 15 final paragraph, page 16, and Figure 6.

Support for claim 31 can be found, e.g., in page 11, final paragraph, page 12, first full paragraph, and Figure 5. Applicants therefore submit that all of the new claims are patentable over the prior art of record.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone Applicants' undersigned representative at the number listed below.

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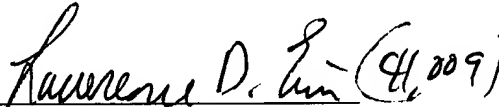
Date: October 19, 2004

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Respectfully submitted,

DION HORVAT, ET AL.

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